

To remedy this problem, H.R. 3048 will amend current law to make it a Federal crime which the Secret Service is authorized to investigate for any person to threaten any current or former President, the current Vice President, the President-elect, or Vice President-elect, or the immediate family of such person, regardless of whether the Secret Service is protecting the person at the time the threat is made.

This section of the bill will expand current Secret Service authority so that it may investigate threats made against the immediate family of major candidates for the office of President or Vice President. Under current law, the Secret Service may only investigate threats made against the candidate and his or her spouse. The bill will also clarify the Agency's authority to plan security for events of national significance such as an economic summit of G7 ministers or a meeting of the WTO, for example.

In recent years, the President has directed the Service to participate in the design, planning and implementation of security operations at special events of national significance. In some cases, however, none of the persons traditionally protected by the Service may be present at these events or present at all times during the event. Therefore, the Service's authority to coordinate the security for these events is unclear.

As the Service is the preeminent law enforcement agency in the world when it comes to expertise in planning security operations, it is appropriate that this expertise be brought to bear in the planning for events of this magnitude. This bill will make that authority clear.

H.R. 3048 also authorizes the Secret Service to use administrative subpoenas in limited situations. Administrative subpoenas are subpoenas issued by a law enforcement agency rather than a United States court. Administrative subpoenas are authorized by the Attorney General under current law for investigations of drug crime, Federal health care offenses, or cases involving child abuse and child sexual exploitation.

The Service has requested administrative subpoena authority for investigations of threats made against the President and its other protectees. There is no question that if the Service is delayed for several days in obtaining a subpoena it needs, such as when the courts are closed over a weekend or during a Federal holiday, the trail of a potential assassin could be lost. It seems reasonable to me to allow the Service to issue these types of subpoenas, but only in threat cases.

This bill would give the Secretary of the Treasury the authority to issue such a subpoena, but only upon the determination of the Director of the Secret Service that a threat against one of its protectees is imminent. Further, the power is limited to requesting only the production of records and other tangible things. The subpoena may not

be used to obtain the testimony of any person, except for the person who is the custodian of the records for an organization.

This bill also creates a means by which a citizen can challenge an administrative subpoena in the courts, something for which current law does not specifically provide.

The Secret Service is one of our Nation's oldest and best law enforcement agencies. We need to give it the statutory authority and investigative tools it needs to do the job that Congress has given it. This bill will help do that.

Mr. Speaker, I urge all of my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. TRAFICANT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to start out by commending the gentleman from North Carolina (Mr. COBLE), the gentleman from Virginia (Mr. SCOTT), the Committee on the Judiciary, the gentleman from Florida (Mr. MCCOLLUM), the gentleman from Illinois (Mr. HYDE), and the gentleman from Michigan (Mr. CONYERS) on a bill that passed the Committee on the Judiciary unanimously, not only of its import but the significance of it in this timely fashion as we approach a season of presidential elections.

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I too rise in strong support of H.R. 3048. It reflects that bipartisanship, and it is a pleasure to see such bipartisanship here in the House.

As the gentleman from North Carolina (Mr. COBLE) has stated, the bill would amend current law to make it clear that it is a Federal crime, a Federal crime which the Secret Service is authorized to investigate, for any person to threaten any current or former President, Vice President, or immediate family member of that person, notwithstanding the fact that the Secret Service may not be at that time, in fact, protecting the person that the threat is made on.

It also expands current Secret Service authority to investigate threats made against the immediate family of candidates for the office of President or Vice President. Under current law, the protection covers only the candidates and their spouses.

Another provision of the bill authorizes the Secret Service to participate in the planning, coordination, and implementation of security operations at events and gatherings of national significance, even if the President or Vice President is not scheduled to attend.

In light of the Secret Service's expertise, second to none in the area of planning security operations of this type and its responsibilities in protecting diplomats, it makes for sound public policy to authorize the agency to participate in such planning and coordination, as they did at summit meetings such as the G-7 economic ministers meeting held here not so long ago.

The bill also provides, as the gentleman from North Carolina (Mr. COBLE) had so eloquently explained, a limited-use administrative subpoena authority by the Secret Service where there has been a threat against the President, a former President, or other persons protected by the Secret Service.

I would just like to close by saying that the Secret Service is a very noble agency. I think they do a tremendous job for the American people. I believe this bill is fitting, and I want to commend the Committee on the Judiciary for its unanimous vote and its bipartisanship in addressing it in this season.

Mr. TRAFICANT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 3048, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

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#### PRIBILOF ISLANDS TRANSITION ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3417) to complete the orderly withdrawal of the National Oceanic and Atmospheric Administration from the civil administration of the Pribilof Islands, Alaska, as amended.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be referred to as the "Pribilof Islands Transition Act".

#### SEC. 2. PURPOSE.

The purpose of this Act is to complete the orderly withdrawal of the National Oceanic and Atmospheric Administration from the civil administration of the Pribilof Islands, Alaska.

#### SEC. 3. FINANCIAL ASSISTANCE FOR PRIBILOF ISLANDS UNDER FUR SEAL ACT OF 1966.

Public Law 89-702, popularly known and referred to in this Act as the Fur Seal Act of 1966, is amended by amending section 206 (16 U.S.C. 1166) to read as follows:

#### "SEC. 206. FINANCIAL ASSISTANCE.

"(a) GRANT AUTHORITY.—

"(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall provide financial assistance to any city government, village corporation, or tribal council of St. George, Alaska, or St. Paul, Alaska.

"(2) USE FOR MATCHING.—Notwithstanding any other provision of law relating to matching funds, funds provided by the Secretary as assistance under this subsection may be used by the entity as non-Federal matching funds under any Federal program that requires such matching funds.

“(3) RESTRICTION ON USE.—The Secretary may not use financial assistance authorized by this Act—

“(A) to settle any debt owed to the United States;

“(B) for administrative or overhead expenses; or

“(C) for contributions authorized under section 5(b)(3)(B) of the Pribilof Islands Transition Act.

“(4) FUNDING INSTRUMENTS AND PROCEDURES.—In providing assistance under this subsection the Secretary shall transfer any funds appropriated to carry out this section to the Secretary of the Interior, who shall obligate such funds through instruments and procedures that are equivalent to the instruments and procedures required to be used by the Bureau of Indian Affairs pursuant to title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

“(5) PRO RATA DISTRIBUTION OF ASSISTANCE.—In any fiscal year for which less than all of the funds authorized under subsection (c)(1) are appropriated, such funds shall be distributed under this subsection on a pro rata basis among the entities referred to in subsection (c)(1) in the same proportions in which amounts are authorized by that subsection for grants to those entities.

“(b) SOLID WASTE ASSISTANCE.—

“(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall provide assistance to the State of Alaska for designing, locating, constructing, redeveloping, permitting, or certifying solid waste management facilities on the Pribilof Islands to be operated under permits issued to the city of St. George and the city of St. Paul, Alaska, by the State of Alaska under section 46.03.100 of the Alaska Statutes.

“(2) TRANSFER.—The Secretary shall transfer any appropriations received under paragraph (1) to the State of Alaska for the benefit of rural and Native villages in Alaska for obligation under section 303 of Public Law 104-182, except that subsection (b) of that section shall not apply to those funds.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for fiscal years 2001, 2002, 2003, 2004, and 2005—

“(1) for assistance under subsection (a) a total not to exceed—

“(A) \$9,000,000, for grants to the city of St. Paul;

“(B) \$6,300,000, for grants to the Tanadgusix Corporation;

“(C) \$1,500,000, for grants to the St. Paul Tribal Council;

“(D) \$6,000,000, for grants to the city of St. George;

“(E) \$4,200,000, for grants to the St. George Tanaq Corporation; and

“(F) \$1,000,000, for grants to the St. George Tribal Council; and

“(2) for assistance under subsection (b), such sums as may be necessary.

“(d) LIMITATION ON USE OF ASSISTANCE FOR LOBBYING ACTIVITIES.—None of the funds authorized by this section may be available for any activity a purpose of which is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employees of the United States or of its departments, agencies, or commissions from communicating to Members of Congress, through proper channels, requests for legislation or appropriations that they consider it necessary for the efficient conduct of public business.

“(e) IMMUNITY FROM LIABILITY.—Neither the United States nor any of its agencies, officers, or employees shall have any liability under this Act or any other law associated with or resulting from the designing, locating, contracting for, redeveloping, permit-

ting, certifying, operating, or maintaining any solid waste management facility on the Pribilof Islands as a consequence of having provided assistance to the State of Alaska under subsection (b).

“(f) REPORT ON EXPENDITURES.—Each entity which receives assistance authorized under subsection (c) shall submit an audited statement listing the expenditure of that assistance to the Committee on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Appropriations and the Committee on Commerce, Science, and Transportation of the Senate, on the last day of fiscal years 2002, 2004, and 2006.

“(g) CONGRESSIONAL INTENT.—Amounts authorized under subsection (c) are intended by Congress to be provided in addition to the base funding appropriated to the National Oceanic and Atmospheric Administration in fiscal year 2000.

#### SEC. 4. DISPOSAL OF PROPERTY.

Section 205 of the Fur Seal Act of 1966 (16 U.S.C. 1165) is amended—

(1) by amending subsection (c) to read as follows:

“(c) Not later than 3 months after the date of enactment of the Pribilof Islands Transition Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives a report that includes—

“(1) a description of all property specified in the document referred to in subsection (a) that has been conveyed under that subsection;

“(2) a description of all Federal property specified in the document referred to in subsection (a) that is going to be conveyed under that subsection; and

“(3) an identification of all Federal property on the Pribilof Islands that will be retained by the Federal Government to meet its responsibilities under this Act, the Convention, and any other applicable law.”; and

(2) by striking subsection (g).

#### SEC. 5. TERMINATION OF RESPONSIBILITIES.

(a) FUTURE OBLIGATION.—

(1) IN GENERAL.—The Secretary of Commerce shall not be considered to have any obligation to promote or otherwise provide for the development of any form of an economy not dependent on sealing on the Pribilof Islands, Alaska, including any obligation under section 206 of the Fur Seal Act of 1966 (16 U.S.C. 1166) or section 3(c)(1)(A) of Public Law 104-91 (16 U.S.C. 1165 note).

(2) SAVINGS.—This subsection shall not affect any cause of action under section 206 of the Fur Seal Act of 1966 (16 U.S.C. 1166) or section 3(c)(1)(A) of Public Law 104-91 (16 U.S.C. 1165 note)—

(A) that arose before the date of the enactment of this Act; and

(B) for which a judicial action is filed before the expiration of the 5-year period beginning on the date of the enactment of this Act.

(3) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to imply that—

(A) any obligation to promote or otherwise provide for the development in the Pribilof Islands of any form of an economy not dependent on sealing was or was not established by section 206 of the Fur Seal Act of 1966 (16 U.S.C. 1166), section 3(c)(1)(A) of Public Law 104-91 (16 U.S.C. 1165 note), or any other provision of law; or

(B) any cause of action could or could not arise with respect to such an obligation.

(4) CONFORMING AMENDMENT.—Section 3(c)(1) of Public Law 104-91 (16 U.S.C. 1165 note) is amended by striking subparagraph (A) and redesignating subparagraphs (B) through (D) in order as subparagraphs (A) through (C).

(b) PROPERTY CONVEYANCE AND CLEANUP.—

(1) IN GENERAL.—Subject to paragraph (2), there are terminated all obligations of the Secretary of Commerce and the United States to—

(A) convey property under section 205 of the Fur Seal Act of 1966 (16 U.S.C. 1165); and

(B) carry out cleanup activities, including assessment, response, remediation, and monitoring, except for postremedial measures such as monitoring and operation and maintenance activities, related to National Oceanic and Atmospheric Administration administration of the Pribilof Islands, Alaska, under section 3 of Public Law 104-91 (16 U.S.C. 1165 note) and the Pribilof Islands Environmental Restoration Agreement between the National Oceanic and Atmospheric Administration and the State of Alaska, signed January 26, 1996.

(2) APPLICATION.—Paragraph (1) shall apply on and after the date on which the Secretary certifies that—

(A) the State of Alaska has provided written confirmation that no further corrective action is required at the sites and operable units covered by the Pribilof Islands Environmental Restoration Agreement between the National Oceanic and Atmospheric Administration and the State of Alaska, signed January 26, 1996, with the exception of postremedial measures, such as monitoring and operation and maintenance activities;

(B) the cleanup required under section 3(a) of Public Law 104-91 (16 U.S.C. 1165 note) is complete;

(C) the properties specified in the document referred to in subsection (a) of section 205 of the Fur Seal Act of 1966 (16 U.S.C. 1165(a)) can be unconditionally offered for conveyance under that section; and

(D) all amounts appropriated under section 206(c)(1) of the Fur Seal Act of 1966, as amended by this Act, have been obligated.

(3) FINANCIAL CONTRIBUTIONS FOR CLEANUP COSTS.—(A) On and after the date on which section 3(b)(5) of Public Law 104-91 (16 U.S.C. 1165 note) is repealed by this Act, the Secretary may not seek or require financial contribution by or from any local governmental entity of the Pribilof Islands, any official of such an entity, or the owner of land on the Pribilof Islands, for cleanup costs incurred pursuant to section 3(a) of Public Law 104-91 (as in effect before such repeal), except as provided in subparagraph (B).

(B) Subparagraph (A) shall not limit the authority of the Secretary to seek or require financial contribution from any person for costs or fees to clean up any matter that was caused or contributed to by such person on or after March 15, 2000.

(4) CERTAIN RESERVED RIGHTS NOT CONDITIONS.—For purposes of paragraph (2)(C), the following requirements shall not be considered to be conditions on conveyance of property:

(A) Any requirement that a potential transferee must allow the National Oceanic and Atmospheric Administration continued access to the property to conduct environmental monitoring following remediation activities.

(B) Any requirement that a potential transferee must allow the National Oceanic and Atmospheric Administration access to the property to continue the operation, and eventual closure, of treatment facilities.

(C) Any requirement that a potential transferee must comply with institutional controls to ensure that an environmental cleanup remains protective of human health or the environment that do not unreasonably affect the use of the property.

(D) Valid existing rights in the property, including rights granted by contract, permit, right-of-way, or easement.

(E) The terms of the documents described in subsection (d) (2).

(c) **REPEALS.**—Effective on the date described in subsection (b) (2), the following provisions are repealed:

(1) Section 205 of the Fur Seal Act of 1966 (16 U.S.C. 1165).

(2) Section 3 of Public Law 104-91 (16 U.S.C. 1165 note).

(d) **SAVINGS.**—

(1) **IN GENERAL.**—Nothing in this Act shall affect any obligation of the Secretary of Commerce, or of any Federal department or agency, under or with respect to any document described in paragraph (2) or with respect to any lands subject to such a document.

(2) **DOCUMENTS DESCRIBED.**—The documents referred to in paragraph (1) are the following:

(A) The Transfer of Property on the Pribilof Islands: Description, Terms, and Conditions, dated February 10, 1984, between the Secretary of Commerce and various Pribilof Island entities.

(B) The Settlement Agreement between Tanadgusix Corporation and the city of St. Paul, dated January 11, 1988, and approved by the Secretary of Commerce on February 23, 1988.

(C) The Memorandum of Understanding between Tanadgusix Corporation, Tanaq Corporation, and the Secretary of Commerce, dated December 22, 1976.

(e) **DEFINITIONS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the definitions set forth in section 101 of the Fur Seal Act of 1966 (16 U.S.C. 1151) shall apply to this section.

(2) **NATIVES OF THE PRIBILOF ISLANDS.**—For purposes of this section, the term “Natives of the Pribilof Islands” includes the Tanadgusix Corporation, the St. George Tanaq Corporation, and the city governments and tribal councils of St. Paul and St. George, Alaska.

#### **SEC. 6. TECHNICAL AND CLARIFYING AMENDMENTS.**

(a) Public Law 104-91 and the Fur Seal Act of 1966 are amended by—

(1) striking “(d)” and all that follows through the heading for subsection (d) of section 3 of Public Law 104-91 and inserting “sec. 212.”; and

(2) moving and redesignating such subsection so as to appear as section 212 of the Fur Seal Act of 1966.

(b) Section 201 of the Fur Seal Act of 1966 (16 U.S.C. 1161) is amended by striking “on such Islands” and insert “on such property”.

(c) The Fur Seal Act of 1966 is amended by inserting before title I the following:

#### **“SECTION 1. SHORT TITLE.**

“This Act may be cited as the ‘Fur Seal Act of 1966’.”

#### **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

Section 3 of Public Law 104-91 (16 U.S.C. 1165 note) is amended—

(1) in subsection (f) by striking “1996, 1997, and 1998” and inserting “2001, 2002, 2003, 2004, and 2005”; and

(2) by adding at the end the following:

“(g) **LOW-INTEREST LOAN PROGRAM.**—

“(1) **CAPITALIZATION OF REVOLVING FUND.**—Of amounts authorized under subsection (f) for each of fiscal years 2001, 2002, 2003, 2004, and 2005, the Secretary may provide to the State of Alaska up to \$2,000,000 per fiscal year to capitalize a revolving fund to be used by the State for loans under this subsection.

“(2) **LOW-INTEREST LOANS.**—The Secretary shall require that any revolving fund established with amounts provided under this subsection shall be used only to provide low-interest loans to Natives of the Pribilof Islands to assess, respond to, remediate, and monitor contamination from lead paint, asbestos, and petroleum from underground storage tanks.

“(3) **NATIVES OF THE PRIBILOF ISLANDS DEFINED.**—The definitions set forth in section 101 of the Fur Seal Act of 1966 (16 U.S.C. 1151) shall apply to this section, except that the term ‘Natives of the Pribilof Islands’ shall include the Tanadgusix and Tanaq Corporations.”

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. **SHERWOOD**) and the gentleman from California (Mr. **GEORGE MILLER**) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. **SHERWOOD**).

Mr. **SHERWOOD**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the chairman of the Committee on Resources, the gentleman from Alaska (Mr. **YOUNG**), introduced H.R. 3417, the Pribilof Islands Transition Act, following a hearing on the ongoing transition of the communities of St. Paul and Saint George, Alaska, from Federal to private ownership.

St. Paul and Saint George are located on isolated islands in the Bering Sea that are also the breeding grounds of the north Pacific fur seal. The islands were settled when Russian fur seal traders forcibly kidnapped, relocated, and enslaved native Alaskan Aleuts to continue to conduct fur seal harvests.

This bill provides payments to the municipal governments, village corporations, and tribal councils on the islands. This money will compensate them for the funds they spent to build harbors and to repair and replace transferred property that was inadequate to provide public service. The bill also authorizes funds to complete the environmental cleanup of the mess the government left on the islands during its 120 year reign.

Finally, the bill establishes what NOAA must do before its responsibilities on the islands are terminated. This bill makes good on our promises to a group of Native Americans. I urge an “aye” vote on H.R. 3417.

Mr. Speaker, I submit for the **RECORD** a communication from the chairman of the Committee on Resources to the ranking member of the committee.

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON RESOURCES,  
Washington, DC, June 26, 2000.

Hon. **GEORGE MILLER**,  
Ranking Democratic Member, Committee on Resources, Washington, DC.

DEAR MR. MILLER: The purpose of H.R. 3417 is to complete the transition of the Pribilof Islands, Alaska, from being a ward of the state to being an independent and, hopefully, successful community with the same independent responsibilities of any other community in the United States. The bill establishes the parameters for ending the special relationship between National Oceanic and Atmospheric Administration (NOAA) and the Pribilofs. After all the actions required in this legislation are taken, it is my intention that NOAA will not be expected to have any responsibilities to the communities on the Pribilof Islands in addition to those that it would have to any other community in the United States.

The Pribilof Islands, St. Paul and St. George, are located in the Bering Sea 800

miles west-southwest of Anchorage, Alaska. The Islands are the breeding grounds of the North Pacific Fur Seal. The Islands were discovered in 1786 by Russian explorers who were searching for the fur seal breeding grounds. To exploit the fur seals for their pelts, the Russians relocated and enslaved Aleuts from islands that lie to the south. These Native Alaskans were experienced seal hunters, and the pelts were tremendously valuable in China, Russia, and Europe.

When the Federal Government acquired Alaska in 1867, the purchase included the Pribilof Islands. In 1868, the Islands were declared to be a special Federal Reserve for purposes of management and preservation of fur seals and other fur-bearing species. The Federal Government contracted with private firms for the harvest of fur seals and the Aleuts continued to conduct the harvests as employees of these firms. It is estimated that the Federal Government's portion of the profit from the fur seal trade paid for the purchase price of Alaska in roughly 20 years. Later the government ran the fur seal harvests directly, but never allowed other business interests to develop on the Islands.

By 1983, the fur seal harvest and the profits to the Federal government had diminished dramatically, but Federal expenditures on the Islands had risen to \$6.3 million annually. NOAA estimates that 95 percent of those expenditures were for municipal and social services. After negotiations with the Administration, Congress adopted the Fur Seal Act Amendments of 1983. These amendments adopted a scheme proposed by NOAA to complete the government withdrawal activities on the Island that were not related to fur seal management. NOAA Administrator Anthony J. Calio best laid out this scheme in a November 1, 1982, letter to all Island residents. This letter states:

“To ensure a smooth transition and to foster development of a new and expanded economic base, [NOAA] propose[s] to provide a one-time payment of \$20 million, to be placed in trust, which will provide you with the resources necessary for general community expenses during the interim period, as well as working capital so badly needed for economic development. . . .

“As you know, harbor facilities will be vital to the success of your efforts to establish a viable economic base. In order for our proposal to be successful, we must have assurance of State [of Alaska] support for these harbor facilities. The proposed \$20 million fund is contingent on a firm State commitment. . . .

“The National Marine Fisheries Service has substantial property holdings on the Islands. [NOAA] propose[s] to transfer this property, with a few exceptions, . . . to the Islands. In the future, community and municipal services will be provided by Island organizations, and this property, which includes land, buildings, equipment and supplies, it vital to the provision of such services.

“Under [the NOAA] proposal, the Islands would be responsible for conducting the annual seal harvest and for the associated marketing of the seal skins. To assure the long-term success of this effort, we will provide all resources needed to conduct the 1983 harvest. Commencing in 1983 all [U.S. shares of] skins, seals and byproducts . . . will belong to the Islanders and when sold should provide you with the resources needed to successfully conduct future harvests. . . .

“The phase out of the Pribilof Islands Program will significantly reduce associated Federal jobs. We would except some of these jobs would naturally transfer to the Island-operated seal harvest and marketing and for the provision of Island services. During the harbor facility construction period, we can

foresee many employment opportunities and once the fishing or other industries come on line, job possibilities should expand significantly."

A Memorandum of Intent signed by Calio and Island leaders were also included with this letter. This memorandum states: "The parties hereto recognize the State of Alaska's appropriation of the monies necessary to construct boat harbors on St. Paul and St. George Island . . . is an indispensable contribution to achieving the goal of self sufficiency on the Pribilof Islands."

Administrator Calio also laid out this plan in May 19, 1983, testimony on H.R. 2840, an Administration-drafted bill to provide for the orderly termination of Federal management of the Pribilof Islands before the Merchant Marine and Fisheries Committee. He stated the NOAA proposal, which was reflected in the bill, would "Create a \$20 million fund to replace annual Federal appropriations which, when combined with a state initiative to construct harbors on both islands, would give the Pribilovians the resources needed to make the transition to a self-sustaining economy; to transfer most real and personal property owned by the Federal Government to the islanders; to transfer responsibility for the fur seal harvest to the islanders; and to help the islanders get job training." Later in that testimony he again reiterated the importance of harbor construction to the success of this scheme, when he said, "The transfer of Federal property on the islands and the appropriation of the \$20 million, in concert with State contributions for the construction of harbors on each island, will give the Pribilovians the unique opportunity to develop a diversified and enduring economy."

The State of Alaska also testified at that hearing. The State witness made clear that, though Governor Sheffield had requested \$10.4 million for harbor construction, those funds had not been approved and may not be sufficient to complete the projects even if approved. The State also noted that:

... given the checkered history of the Federal Government's relationship to the Pribilovians, there is a moral if not legal obligation that should not be overlooked.

... we perceive the conception that the State of Alaska will simply fill the void created by the Federal Government's abrupt departure. We can make no such commitment . . . the economic, social and infrastructure requirements of the Pribilofs are immense

... the Federal Government must be willing to upgrade existing facilities to minimum State health and safety standards."

The Fur Seal Act Amendments of 1983 were adopted. The Federal Government did create and fund the \$20 million Trust Fund. The State of Alaska did not commit to, nor did it fund, construction of new harbors on the Islands. Real and personal property has been transferred by the Federal Government, but the municipalities maintain that it failed to meet the Islands public infrastructure needs. In 1984, the Senate failed to ratify the Fur Seal Treaty, thus ending fur seal harvests. Since three legs of the stool failed, most of the \$20 million was used to fund harbor construction, infrastructure repair and replacement, and social benefit needs. This delayed the development of a self-sufficient economy on the Islands.

In 1976, NOAA entered into a Memorandum of Understanding (MOU) with TDX and Tanag which identified the tracts of property the government intended to retain. Under Section 3(e) of ANCSA, the government was directed to retain the "smallest practicable tracts enclosing land actually used in connection with the administration of a Federal installation." Therefore, the MOU served to

let the village corporations know which lands were unavailable for selection under ANCSA.

Pursuant to Section 205 of the 1983 Amendments, NOAA entered into a Transfer of Property Agreement with the municipal governments, village corporations and tribal councils on the Islands and the State of Alaska to receive a portion of the property that was originally scheduled to be retained by NOAA. This agreement has withstood a court challenge, and most of the property has been transferred. Unfortunately, environmental contamination on much of the property has prevented the highest and best economic use of the land, and in other cases delayed the transfer altogether. NOAA and the State of Alaska signed the Pribilof Islands Environmental Restoration Agreement (Two Party Agreement). This document in conjunction with the cleanup requirements set forth in Public Law 104-91 govern NOAA's ongoing cleanup.

It is clear that the failure to construct harbors, transfer property, complete the environmental cleanup, or provide adequate municipal infrastructure, and the elimination of revenue from the fur seal harvest doomed to failure the transition scheme laid out by NOAA and adopted by Congress in 1983. To make good on the 1983 commitments, H.R. 3417 provides additional resources to the Islanders, and sets out the terms under which NOAA non-fur seal management responsibilities end. The bill provides grants to Island entities and grants to the State to construct solid waste management facilities. The bill also terminates NOAA's economic and municipal responsibilities after it has obligated whatever funds are appropriated for the authorized grants, completed the environmental cleanup, and transferred property under the TOPA.

I hope this letter clarifies for you the reason for, and intent of, H.R. 3417. I appreciate your support for this legislation.

Sincerely,

DON YOUNG,

Chairman, Committee on Resources.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Pennsylvania has properly explained the bill, and I am pleased to rise in support of this important legislation sponsored by the gentleman from Alaska.

As Members of this body know, the chairman of the Committee on Resources is a forceful advocate for his Alaska constituents. The bill before the House today is improved in numerous respects from the version reported by the committee last April. As a result of the changes made to accommodate NOAA's concerns, it is my understanding the administration now supports the bill as amended.

There is also an attempt here to strike a responsible balance in this bill. There are now caps in the amounts authorized for the economic assistance grants to the Aleut Natives and to local governments, and I urge the Members of the House to support the bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material on H.R. 3417, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHERWOOD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the bill, H.R. 3417, as amended.

The question was taken.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□

## NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 148) to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds, as amended.

The Clerk read as follows:

S. 148

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Neotropical Migratory Bird Conservation Act".

### SEC. 2. FINDINGS.

Congress finds that—

(1) of the nearly 800 bird species known to occur in the United States, approximately 500 migrate among countries, and the large majority of those species, the neotropical migrants, winter in Latin America and the Caribbean;

(2) neotropical migratory bird species provide invaluable environmental, economic, recreational, and aesthetic benefits to the United States, as well as to the Western Hemisphere;

(3)(A) many neotropical migratory bird populations, once considered common, are in decline, and some have declined to the point that their long-term survival in the wild is in jeopardy; and

(B) the primary reason for the decline in the populations of those species is habitat loss and degradation (including pollution and contamination) across the species' range; and

(4)(A) because neotropical migratory birds range across numerous international borders each year, their conservation requires the commitment and effort of all countries along their migration routes; and

(B) although numerous initiatives exist to conserve migratory birds and their habitat, those initiatives can be significantly strengthened and enhanced by increased coordination.

### SEC. 3. PURPOSES.

The purposes of this Act are—